THE HONUORABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.6554 OF 2007

DATED: 30-03-2007

BETWEEN

Kunturu Satyanarayana,
S/o. Nancharlu,
Kothapatnam Village and Mandal,
Prakasam District.

...PETITIONER

AND

The District Collector,
Prakasam District,
Ongole and two others.

...RESPONDENTS

ORDER:

Learned counsel for the petitioner submits that the petitioner installed a Salt Powder Industry styled as Satyanarayana Salt Powder Industry on 15.11.1990 situated in S.No.1417 of Kothapatnam Village. He further submits that the petitioner is running the salt industry from 1990 till today by paying licencing fee to the gram panchayat.

While so, the third respondent issued the impugned notice vide proceedings in Roc.No.26/07 dated 07.03.2007 stating that by reason of installation of salt mills there would be adverse impact on the ground water, which would be polluted and become salty and accordingly informed that the licence granted in favour of the petitioner would be cancelled and action would be taken under the rules made under the Andhra Pradesh Gram Panchayat Act.

2. Admittedly, the impugned notice has been issued without issuing any

notice and without giving any reasonable opportunity to the petitioner. However, it is stated that though it was not a show cause notice the petitioner made a representation dated 22.03.2007 before the respondents.

3. Having regard to the facts and circumstances of the case, the petitioner is permitted to file another representation treating the impugned notice dated 07.03.2007 as show cause notice within one week from today and the third respondent is directed to consider the representation dated 22.03.2007 as well as the representation to be submitted by the petitioner within a week from today and pass appropriate orders in accordance with law. Till then the respondents shall not take any coercive steps against the petitioner.

The writ petition is accordingly disposed of. There shall be no order as to costs.

_____

V. ESWARAIAH, J

March 30, 2007
Note: Furnish C.C. of the order in two days.
(**B/o**)
DSK

-

-

-

-